

Too good to be true? Certainly too good to delay.

Mr. HUNTER. Mr. Speaker, will the gentleman yield?

Mr. WELLER. I yield to the gentleman from California.

Mr. HUNTER. I thank the gentleman for yielding. I wanted to say I was walking by the floor when I saw the gentleman making his presentation, and those of us on the Committee on National Security were very impressed with your plan for the Joliet Arsenal. We have waived jurisdiction so it can go on down an expedited process to come to fruition.

When the people of your congressional district have this great asset, and this program is completed, they will have one person to thank for it, and that is JERRY WELLER. We appreciate your work on this, and anything that we can do in the Committee on National Security to expedite it, we are there, and I thank the gentleman.

□ 1730

NLRB CUTS AND THE CASE OF OVERNIGHT TRANSPORTATION COMPANY

The SPEAKER pro tempore (Mr. METCALF). Under a previous order of the House, the gentleman from California [Mr. MILLER] is recognized for 5 minutes.

Mr. MILLER of California. Mr. Speaker, the debate we are having on the Labor HHS Appropriations bill is about people, not government programs. It is about the extremes to which Republicans will go to protect special interests.

There is a very striking, specific example of how this bill sacrifices working families for the ignoble cause of catering to special interest. This bill punishes an independent agency on behalf of an unscrupulous employer, the Overnight Transportation Co.

Let's be clear about one thing, this has nothing to do with reducing the budget deficit. It has everything to do with eliminating the independence and impartiality of the National Labor Relations Board. The NLRB is a judicial body. It is not supposed to respond to thinly-veiled threats from Members of this Congress.

But certain Members have written to the judges of the NLRB that if they did not decide an issue in favor of the Overnight Co., the agency will be targeted for severe cuts. And when the judges used their independent judgment, Republicans went looking for blood. The cuts in this bill for NLRB are severe: 30 percent, while most other agencies were cut only 7.5 percent.

Indeed, the Wall Street Journal reported recently that an Overnight lobbyist worked closely with a Republican congressman to insure that NLRB be issued a dramatic cut and that its judicial procedures be tied up.

This unprecedented interference by Republicans in the duties of judges was

not on behalf of the workers. Let me repeat, Republicans are going to extremes not on behalf of workers, but on behalf of an unscrupulous employer, the Overnight Co.

The management of Overnight, from the CEO on down, has been violating the rights of employees all across this Nation.

Since 1994, Overnight has mounted an illegal national campaign to prevent employees from exercising their right to come together for better wages and working conditions. Overnight's actions have resulted in literally hundreds of employee complaints. These complaints include all of the gross violations of worker protections law: firing employee leaders; threatening to close facilities if employees unionize; withholding pay increases for employees that vote to organize, while granting pay increases to others; and promising better benefits if employees do not exercise their right to unionize.

The people who were subject to this treatment are just like you and me—they have families, they are struggling to make ends meet, and they are trying to play by the rules. Yet, Overnight, with the support it seems of Republicans, is denying those people their rights.

Obviously, Overnight believed it was above the law. Under the laws of this Nation, it is illegal for an employer "to dominate or interfere with the formation or administration of any labor organization * * *"

After NLRB authorized the request of an injunction against the flagrant violations of Overnight, Republicans sprang into action to prevent the injunction from actually being sought and to influence the settlement. But Republicans are not stopping there. They hope to exact punishment and revenge on a judicial body that decided cases against Republican special interest.

Even some Members on the other side of the aisle were shocked by the catering to special interest. Republican Representative JOHN PORTER was quoted as saying "To my way of thinking, you don't cut judicial bodies because they make decisions you don't like."

I could not agree with my colleague more. To my way of thinking, Mr. Speaker, we were not elected to disregard the interest of the people in favor of special interest. This bill is extreme and will hurt working families only to help special interests. This bill should be resoundingly rejected.

OSHA REFORM NEEDED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. NORWOOD] is recognized for 5 minutes.

Mr. NORWOOD. Mr. Speaker, by now it is no secret that I want to change the way OSHA does business. I have come to the floor many times to talk about the excesses of OSHA. But our OSHA reform bill is not simply about

curbing the regulatory excesses of OSHA; our bill seeks to restore the freedoms OSHA has taken away.

Mr. Speaker, allow me to quote from the sixth amendment to the Constitution. "the accused shall enjoy the right * * * to be confronted with the witnesses against him." Mr. Speaker, under current OSHA policy that right does not exist. If OSHA shows up on your doorstep today to investigate an alleged violation, you as an employer have no right to know who reported a violation. That policy encourages OSHA to be used as a tool of disgruntled employees and labor negotiators. Our bill will require that employees work with employers to correct safety problems. I have heard critics complain that employees will be afraid to question workplace safety for fear that an employer may take action against them. Maybe these people have forgotten about bureaucracies like the National Labor Relations Board or the labor lawyers salivating over a case like that. Anyone who believes that an employee does not have recourse against an employer probably thinks Medicare isn't going bankrupt.

Mr. Speaker, I had the privilege of testifying before the Small Business Committee last week on OSHA reform. It reminded me why OSHA reform is so important. OSHA regulations strangle small businesses. OSHA threatens the livelihood of small business men and women all over America. It is just that simple.

When OSHA sends out a 6-inch thick document on Air Quality, a small business owner doesn't say to himself "Wow! Here's a way for me to make my workplace safer for my employees." Instead, he says "How am I ever going to figure out what is in here? Will I have to hire someone just to figure it out? Is it going to force me to lay-off a worker or raise my prices?" Mr. Speaker, I ask you, is it any wonder that small business are terrified of OSHA?

In my opinion, here lies OSHA's basic flaw * * * OSHA acts as though the only people who care about workplace safety live here in Washington, DC. Nothing could be further from the truth. Small business men and women throughout America are deeply concerned about workplace safety. Their employees are often family. Employers want safe workplaces. They need help from OSHA. A 6-inch stack of regulations and the threat of a costly fine do little to improve workplace safety. A new improved OSHA will work with employees to teach them how to make the workplaces safer. We must have a carrot to go with the stick OSHA has grown so addicted to. OSHA should spend as much of the taxpayers money trying to educate employers as they do trying to collect fines.

Mr. Speaker, I am not convinced that OSHA can ever be reformed. However, if it is ever to be reformed, the steps taken in H.R. 1834, the OSHA Reform Act, will make a real difference. I strongly encourage my colleagues to